THE CHAPLAIN'S ROLE IN THE ARMY CORRECTIONAL PROGRAM

A MONOGRAPH PREPARED BY

CHAPLAIN (MAJOR) ALEXANDER L. PAXSON

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TABLE OF CONTENTS

SECTION I INTRODUCTION..... i
Part 1. Purpose..... i
Part 2. Basic Assumptions..... ii
Part 3. Scope..... v
Notes and References

SECTION II THE ARMY'S NEW CORRECTIONAL PROGRAM..... 1
Part 1. The Statistical Picture..... 1
Part 2. The Traditional Guardhouse Program..... 3
Part 3. The Revamped Guardhouse Program..... 4
Part 4. Corrective Treatment at the Disciplinary Barracks..... 6
Part 5. Results of the New Program at the Stockade Level..... 8
Notes and References

SECTION III THE INTENT OF PERTINENT ARMY REGULATIONS..... 9
Part 1. Why a Chaplain is Assigned to a Confinement Facility..... 9
Part 2. Authority for Assignment to Stockade Duty.. 11
a. Commander's Responsibility 11
b. Post Chaplain's Responsibility..... 12
Part 3. Duties and Functions as Outlined in the Regulations 13
Part 4. The Privileged Communication 16
Notes and References

SECTION IV THE REHABILITATIONAL PROCESS 21
Part 1. General Organization 21
Part 2. The Consultation Staff 22
Part 3. The Classification and Evaluation Board ... 22
Part 4. The Clemency Board 25
Part 5. Records Useful to the Chaplain 26
Notes and References

ANNEX I TYPICAL INTAKE INTERVIEW and COMMENTS .....Tab A

ANNEX II PROCESSING CHART and INTERVIEWING FLOW CHART ....Tab B

ANNEX III SAMPLE RECORD FORMS .....Tab C

BIBLIOGRAPHY .....Tab D

SECTION I

INTRODUCTION

1. PURPOSE

The security of the Nation depends largely on the effectiveness of the individual soldier and his effectiveness in turn depends upon his ability to conform and function in the modern "nuclear age" Army. Rigid discipline and performance goes to the very heart of maintaining effective combat forces. There is no place in today's highly professionalized Army for the incident-prone delinquent.

The Army's current correctional program is directed in its primary phase toward assuring the early detection and prompt and appropriate disposition of those individuals whose non-conformance and delinquency weaken the Army's ability to function as an effective fighting force. In its secondary phase, the Army is applying the most up-to-date correctional philosophies and rehabilitation methods in order to return as many men as possible to honorable duty within the frame-work of the military or to equally honorable duty as useful citizens in their home communities.

The evolution of a sound, acceptable, and practical system of participation in both phases of this program by the assigned chaplain is a natural development from interest in its many inherent and associated problems mutually shared by the chaplain and the correctional staff. Faced with the necessity of providing spiritual care which varies from emergency calls for hysterical attempts at suicide to routine worship services it soon becomes apparent that not only is the stockade a collecting point for many chronic offenders and soldiers unfit for further service but that it is

also a place where a significant contribution can be made by the military clergyman to the correctional program. Of still greater import is the undeniable fact that within the frame-work of modern correctional methodology the chaplain has an unparalleled opportunity to implement his primary function to "bring God to men and men to God" . In no other duty assignment in the peace-time Army will a chaplain find so many men more in need of the entire scope of his spiritual ministrations, religious and moral leadership, and counseling skills.

This monograph has a dual purpose:

a. To indicate a philosophy commensurate with the goals of the correctional program as a whole and from which the chaplain operates if his own personal program in the local stockade is to be effective in the achievement of the long-term objectives;

b. To suggest a practical, systematic methodology of work organization and techniques which will improve the chaplain's effectiveness in the correctional process.

2. BASIC ASSUMPTIONS

Prior to 1954 the prevalent attitude on the part of all concerned was that the stockade was a unit apart from ordinary military function. Its only purpose was punishment and its population was composed of a human species, neither civilian nor soldier, who should best be forgotten. From the philosophy of "out of sight out of mind" evolved a custodial type of stockade program. The staff members of the stockade were mere custodians, charged with the

responsibility of keeping the prisoners fed, sheltered, and reasonably busy. The chaplain appeared periodically to conduct religious services and to listen, infrequently as possible, to sad tales of injustice and hardship in order to keep the prisoners docile until their release. The stockade was a place to hide products of poor leadership, "eight balls" who caused administrative headaches, misfits who had no potential military value, and habitual offenders who were repeatedly court-martialed in a spirit of vengeance. It was seen as a last resort in dealing with chronic alcoholism, a method of isolating the sexual deviate, and a means of defering or avoiding decisions on problem soldiers.

Another philosophy which is apparent in Army Regulations and directives is that the stockade is an integral part of the military structure and that its purpose is only incidentally custodial. Military confinement as a means of punishment is, like all other punishment, not an end in itself, but the means of achieving a goal. It is a disciplinary measure, a means of rewarding misconduct and of indicating the attitude of the military society toward the act, not the person. The first assumption upon which the chaplain may construct his philosophy of service in the correctional program is that the goal is to make of the individual a better soldier and a better citizen and to extend to him the opportunity for rehabilitation.

In contrast to its civilian counterpart, the stockade is unique.[1] It is not an institution for long term confinement. It does not ordinarily house prisoners who must be isolated from society. The confinees are military offenders who for similar offenses in civil-

ian life would not be imprisoned, and finally, they are soldiers. This point should be emphasized and the chaplain should carry it in the forefront of his thinking. These men were soldiers before coming to the stockade, they are soldiers during their confinement, and the majority will be soldiers after their release. A second assumption is derived from the simple observation that the prisoner is a soldier, therefore he should be treated as a soldier, expected to act as a soldier, and any rehabilitation should be oriented primarily toward making him a better soldier.

On the other hand, some men have demonstrated that they have neither the capability nor the desire to be soldiers. Their past behaviour [2], a history of which is available to the chaplain, usually fits well the description contained in the various regulations[3], and firm directives make their elimination relatively simple. These men, and those who are sufficiently well motivated to perform creditably in service will be clearly identified by the classification system. Each group will develop a different relationship to the stockade and to the functions of the stockade. A program that would extend the same privilege both to the unfit destined to be discharged and to the soldier who could be expected to render meritorious service would be difficult to justify. Inasmuch as their destinations are clearly different their management in the stockades will be distinctly different and separate.[4] The final assumption, therefore, is that the chaplain will adapt his own program to the desired objectives for each separate group. While his long term goals for each man will be substantially the same, his techniques in dealing with each man will be expected to conform to the framework of the correctional program operative in the local stockade. "A program of rehabilitation

should be directed at those able to profit from it".[5] This is a sociological doctrine. All men are redeemable. This is a religious doctrine. The chaplain will develop his program with both doctrinal positions synthesized in his philosophy.

3. SCOPE

This paper is limited by its purpose as announced above and by its basic assumptions. It is concerned with the correctional aspects of the chaplain's role in the local stockade. It does not deal with worship services, religious education, Character Guidance, or the counseling function of the chaplain. All of these will be found in brief outlines in FM 16-5 and DA Pamphlet 16-60, and while these publications are excellent I am convinced that a more complete treatment of each subject should be developed. This, however, is a task of sufficient magnitude to justify a separate monograph that would develop each of these subjects in depth.

Presented here is a brief historical review of the correctional program now in operation. It reviews and interprets the Army Regulations, Directives, and policies directly affecting and authorizing the chaplain's program. It describes the rehabilitational process and relates the chaplain's responsibilities to it and in it. It provides a ready reference to all pertinent Army Regulations, and finally, it suggests a technique of records and activities around which the chaplain could organize his own program development.

NOTES AND REFERENCES CITED
IN
SECTION I

1. This monograph is primarily concerned with the local stocakde since relatively few chaplains will be assigned, over a period of years, to long term confinement facilities such as the U. S. Disciplinary Barracks at Leavenworth, Kansas.

2. See the more complete discussion of this subject in Section IV and the example in Annex I.

3. AR 635-206 and AR 635-209.

4. Menninger, W.C., Psychiatry In A Troubled World, Pages 509-511.

5. Cooke, Edwin T., Soldiers, Stockade, and Psychiatry, United States Armed Forces Medical Journal, 5: Page 555, May 1959 also Schlesinger, Norman, and Blau, David, Psychiatric Studies of Retraining Commands, IBID, 8: Pages 397-405, March 1957.

SECTION II

THE ARMY'S NEW CORRECTIONAL PROGRAM

1. THE STATISTICAL PICTURE

Since June 1956 there has been a 61 percent decrease in the number of Army prisoners confined compared with a 14 percent drop in the strength of the Army for the same period. While this decrease has been a continuing process as a result of many factors, the sharpest drop has occurred since 1957 following the implementation of the new Army-wide program of rehabilitation at the local command level.[1]

The Army now operates fifty-two stockades world-wide and one specialized major correctional facility in the United States, the United States Disciplinary Barracks at Fort Leavenworth, Kansas. This facility, under the Staff supervision of the Provost Marshal General, provides for the presently specialized confinement and correctional needs of the Army. Additionally, under agreement between the services, Air Force prisoners are confined in Army disciplinary barracks. Occasionally Navy, Marine, and Coast Guard personnel are confined for short periods in local Army stockades. Currently there are approximately 1,100 Army and Air Force prisoners confined at U. S. Disciplinary Barracks. An additional 599 Army prisoners, convicted by courts-martial of civil type felonies, are confined in federal penal and correctional institutions.

Prison population statistics vary from installation to installation, but the continuing trend is downward. The Second Army Stockade, located at Fort George G. Meade, Maryland, may be cited as a

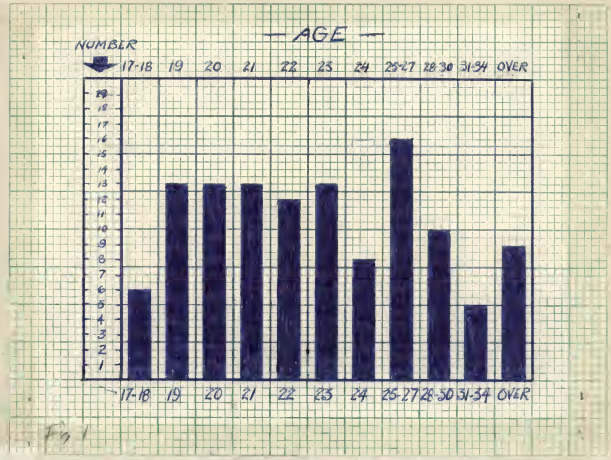
typical example of the average Army Confinement Facility in a Continental Army Command. In June of 1959 its population was 212. At this present writing the population is only 85. This represents a 60 percent drop in less than eighteen months.

The ages of the confinees vary from 17 to 45, but two different age groups comprise the highest percentage of the prison population. Seventeen to twenty-two years of age will account for approximately 50 percent of the confinees. The second largest age group is the twenty-five to twenty-seven year olds and represents roughly another 22 percent. Fig. 1 Nearly 30 percent of the men are married and most of these are fathers.[2]

The offenses which resulted in their confinement run the gamut from relatively minor military misdemeanors to serious violations of Army Regulations and crimes of violence. The latter will only rarely be encountered. By far the largest group will be composed of those who have been convicted of AWOL. This group will also be the repeaters. It is safe to assume that the chaplain in the typical Army Stockade will not be dealing with confirmed criminals.

A fairly well established pattern becomes apparent in the over-all statistical and sociological picture: the typical confinee will be 18 to 22 years of age; this will be his first confinement in a military prison; he will have a record of minor difficulties with school officials and other civilian authorities; he has an eighth grade education and if he worked at all before entering

FIGURE 1



JUNE 1960

TYPICAL AGE GROUPING CHART OF MILITARY PRISONERS AT 2nd UNITED STATES ARMY STOCKADE, FORT MEADE, MARYLAND

the service it will have been in the unskilled labor area and he will have a record of "job hopping". He is resentful of authority, civilian, including the "boss", and military. He comes either from a broken home or the home life has been somewhat less than ideal.[3] Two problem areas will be outstanding - "problem drinking" (but only rarely will a genuine alcoholic be encountered), and domestic difficulties.

2. THE TRADITIONAL GUARDHOUSE PROGRAM

All Army prisoners are originally confined in local stockades. Those having six months or more confinement remaining to serve are subject to transfer to the disciplinary barracks. Stockades, which are local confinement facilities located on large Army posts, serve as places of detention for personnel awaiting trial and for confinement of prisoners serving short sentences. This fact indicates that the chaplain in the local stockades has ample opportunity to begin rehabilitative measures during the initial stages of the confinement period. It must be stated here that this is an opportunity that is frequently lost because of the lack of interest on the part of chaplains and their distaste for the problems involved.

Under the traditional guardhouse system, the program was largely one of custody and unproductively menial labor. A typical scene on any Army post in former times was a GI with a shot-gun "chasing" one or two prisoners on cleanup details. Little real attention was given to the problems and correctional needs of the individual or to determining

his potential for further military service. As a result the same soldiers were being confined in guardhouses time after time for minor violations. A large proportion ultimately wound up in the disciplinary barracks with long sentences for major military offenses or crimes and were dishonorably discharged from the Army. This is illustrated by the fact that in 1956 62 percent of the prisoners in the disciplinary barracks had a record of two or more courts-martial convictions.[4]

3. THE REVAMPED GUARDHOUSE PROGRAM

The state of discipline of our troops and the high cost of maintaining prisoners, in terms of manpower, money, and the Army's capability as an effective fighting force are of continuing concern to the Department of the Army. In late 1958 a searching review of all past policies and procedures affecting prisoners confined in local stockades was undertaken. The purpose was two-fold:

(a) To devise a modern correctional program which could be implemented at the local command level - one capable of identifying at the earliest possible moment those prisoners having a potential for further service and one which would ensure prompt disposition of all offenders, either by separation from the service, or transfer to a major confinement facility.

(b) To devise a worthwhile program of rehabilitative and corrective training that would enhance the potentially restorable prisoner's effectiveness upon return to honorable duty status.

Using the results of studies made and experience gained through experimentation, the local stockade correctional program was completely revamped in 1957. The new approach called for a frontal attack on the problem of military disciplin by the entire staff of the local command - a well coordinated, united effort never before attempted. Procedures were established for professional screening and evaluation of all soldiers on their first trip to the stockade. Under the new program, problems, deficiencies, and causes of misconduct are identified with a view to applying corrective measures. The individual's potential for further successful military service is evaluated with the assistance of his troop commander, the confinement officer, the psychiatrist, legal officers, chaplains, and others. Those unable to meet the service requirements are recommended for early separation from the service administratively, when appropriate. Other having a potential for further military service are placed promptly in intensive military retraining and considered for maximum clemency and early return to honorable duty with their units. Those with long sentences for major crimes are transferred to the disciplinary barracks. Every prisoner is required to undergo training and perform constructive work - all with a view to returning qualified individuals to military duty and others to civilian life better equipped to meet their responsibilities as useful citizens.

Old guardhouse concepts regarding custodial supervision and prisoner labor also have been revised. Confinement and

safe custody of the prisoner remain a fundamental responsibility. However, it was evident the old system of keeping everyone "under the gun" was unnecessary, expensive, and actually hampering the rehabilitation of the prisoner. Utilizing the knowledge of the individual gained through professional screening, trained correctional personnel assigned to stockades now place maximum emphasis on minimum custodial restrictions. As a result, most prisoners now are worked and trained in a parolee status or under the supervision of mature non-commissioned officers without arms. Emphasis is placed on employment in useful work which has a training value, thus improving their skills and ultimate rehabilitation.

4. CORRECTIVE TREATMENT AT THE DISCIPLINARY BARRACKS

Prisoners convicted of more serious offenses, and sentenced to longer confinement are transferred to the disciplinarybarracks - the Army's major specialized confinement facility, staffed and equipped to provide individualized corrective treatment for these offenders. The rehabilitation procedures of the disciplinary are designed to provide a realistic evaluation of the individual, his weaknesses, problems, and potentialities, and to develop or improve his skills, all with a view to returning qualified individuals to military duty and others to civilian life better equipped to meet their responsibilities as useful citizens.

At the disciplinary barracks, academic schools, under the supervision of qualified instructors, are operated to meet the prisoners' educational needs. Priority is given to correcting

basic deficiencies in elementary subjects. Statistical studies reflect a definite relationship between educational achievement and the incidence of military delinquency. Studies completed in June,1958, established that 38.4 percent of the disciplinary barracks population had less than an eighth grade education compared with 17.2 percent of the soldiers on duty. Through arrangements with the United States Armed Forces Institute and local and state school systems, prisoners are afforded and opportunity to obtain high school diplomas and to take a wide variety of college and commercial subjects during off-duty hours.[5]

A wide range of vocational training shops and schools are operated at the disciplinary barracks where prisoners receive organized trade training instruction. These include such skills as carpentry, automotive maintenance, furniture repair and upholstery, office machine repair, sheet metal work, shoe repair, and farming in addition to specialities peculiar to the military service.

Those prisoners found qualified at the disciplinary barracks for further military service are placed in intensive military re-training in a special unit for that purpose at Fort Leavenworth where they receive 8 weeks of preparatory or transitional instruction before returning to regular military units. Men returned to duty from this unit have established an exceptional record of accomplishment. For example, a spot survey of those restored to duty for 6 months or more showed no additional court-martial convictions and the majority had

received one or more promotions in rank.

5. RESULTS OF THE NEW PROGRAM AT THE STOCKADE LEVEL

This new concept of professional classification and prompt disposition of offenders on their first trip to the local stockade has had a far reaching effect. Nineteen stockades located through-out the world have been closed since June 1957. Many persons who formerly would have ended up in a disciplinary barracks under sentence to confinement and punitive discharge after several trips to the local stockade are being administratively separated from the service following their first period of confinement. As a result of the precipitous decline in prisoner strength, four branch United States disciplinary barracks located at Fort Gordon, Georgia; Fort Crowder, Missouri; New Cumberland, Pennsylvania; and Lampoc, California, have been closed within the last four years. These impressive reductions in prisoner strength and closing of confinement facilities obviously mean an attendant rise in over-all efficiency, as well as large and measurable savings in money and effective manpower.

NOTES AND REFERENCES CITED
IN
SECTION II

A joint conference of correctional personnel, social case workers, and psychiatric medical officers was held at Fort George G. Meade, Maryland in May 1960. Specialists in each of these fields and representatives of the Provost Marshal General's Office and the Surgeon General's Office (Psychiatric Division) and civilian penologists were the leaders and resource personnel. Papers were presented to the Conference by these specialists. Except for a few mimeographed hand-outs these papers and findings are not presently published. They are cited here as representative of the thinking in the field and as a basis of the latest statistics.

1. Paper by Colonel Raymond R. Ramsey, Deputy Provost Marshal General, Headquarters, Department of the Army.

2. Paper by Colonel Albert J. Glass, MC, Chief, Psychiatric Division, Office of the Surgeon General, Headquarters, Department of the Army.

3. Ibid

4. Ramsey, Raymond R., The Army's New Correctional Program at Stockade Level, Federal Probation 2: Page 41, September 1959

5. IBID, page 42

6. IBID, page 43

SECTION III

THE INTENT OF PERTINENT ARMY REGULATIONS

1. WHY A CHAPLAIN IS ASSIGNED TO A CONFINEMENT FACILITY

Many military chaplains are reluctant to accept the duties of a confinement facility assignment. Even a cursory survey of attitudes of a group of chaplains will support this statement as factual. The prevailing notion seems to be that it is a task both thankless and useless. Thankless because the average chaplain believes that he is not wanted in the stockade by the cadre and staff. Useless indicates an unfortunate attitude toward the prisoners themselves by the chaplain. He thinks that they are the discards, the misfits, and the trouble-makers in the military society and that nothing can be done with them or for them. Neither of these attitudes is based in fact.

The president of the American Correctional Association has stated, "I will admit that the trials and pressures of this life are too much for me without help from above. All the things we have discussed...are meaningless without the strength and support which comes froma true sense of moral and spiritual values..... (This has been proved) over and over again by the vast majority of (prisoners) who come to us with little or no religious training and background. THERE WAS A TIME WHEN THE CHAPLAINS IN OUR INSTITUTIONS WERE BARELY TOLERATED. TODAY THEY PLAY A VITAL ROLE IN OUR MISSION."[1] This is typical of present day thinking of the officials of military stockades.

The program outlined in section II, above, indicates that officials on the policy making levels of the Department of the Army are committed to the conviction that prisoners can be helped. They can be in-

fluenced to change unacceptable behaviour and attitudes. This is the sole reason chaplains are assigned to confinement facilities.[2]

He is a specialist in human behaviour. His paramount concern in the rehabilitation system is the preservation of spiritual, human values. His very presence in the stockade dramatizes the fact that men are not "discards"; the prisoner has not been forsaken either by God or society; whether he is consciously aware of it or not the prisoner is reminded by the presence of the chaplain that the crime, misdemeanor, or foolish mistake that brought him to this particular institution does not make him "useless".

He is a specialist in counselling prisoners. From time immemorial clergymen were among the first to go into the prisons to bring spiritual support to the unfortunates who were ostracized and cut off from their normal surroundings. Today all the modern sciences of psychology, psychiatry, pedagogy, and sociology are used to effect the rehabilitation of these men and return them to society, but clergymen were the first to make this attempt. What prompted them to this task in former times is still valid today. There is no rehabilitation without interior conversion of the will from evil to good. This is the task of the chaplain.

He is a specialist in religion. He represents God. The chaplain is assigned not only to act as a counsellor but to provide religious services and pastoral care. These men need opportunities to worship and the support of the sacraments. The fact that this type of ministry is a major contribution in the correction and rehabilitation of Army offenders is, in actuality, a mere by-product. The valid contribution is the fulfillment of his pastoral function in representing God to men.

While the foregoing represents a brief examination of the philosophy underlying the assignment of chaplains to confinement facilities there is also a LEGAL reason for his assignment. AR 210-181 requires the appointment of a chaplain for even the smallest confinement facility.[3]

2. AUTHORITY FOR ASSIGNMENT TO STOCKADE DUTY

In addition to AR 210-181, mentioned above, there are other sources of authority for appointment to such duty. These not only indicate that a chaplain will be appointed, but specifically outline his duties and responsibilities in many different areas. They define particularly his function and role in the rehabilitation program.

a. Section II of AR 165-15 clearly outlines the responsibilities of all commanders with respect to the religious life, morals, and morale of their commands. Paragraph 3 of the same regulation specifically states, "Chaplains will give special attention to the rehabilitation of personnel who are in confinement." AR 210-81 directs that the commander will appoint a chaplain to the post stockade and even though this may be an additional duty, the appointment will be confirmed in a written order.

There have been instances when over-zealous commanders, including both post commanders and stocakde commanders, have felt that it would be "good" for the prisoners to be compelled to attend religious services in the stockade. In such a situation the chaplain must exercise great tact and diplomacy, but such officers must be made aware of the provisions of Paragraph 9d of this AR which clearly states that attendance at religious services will NOT be made compulsory even in a stockade.

b. Supervisory chaplains have a vital role to play in the assignment of stockade chaplains. These are the men who actually select the man who will work in the rehabilitation program. Paragraph 4b (9) AR 165-15 provides that the supervisor will coordinate "religious ministrations to prisoners in confinement or arrest".

It may be assumed that all supervisory chaplains are aware of their responsibility in this area, but what do they do about it ? All too often the post chaplain examins his roster of chaplains and selects the man who, in his judgement, has a rather light duty assignment. He is, for example, assigned to a lodger unit on the post. Frequently he is young and inexperienced in the military. This is the least qualified man to assign to stockade duty. Often the supervisor undersells the task by assuring the appointee that it will require only a few hours of his time each week. This is a disservice both to the chaplain and to the rehabilitation program.

The supervisor will best discharge his responsibility in this all-important area if he selects a man who has had at least five years in the military. He should be either trained in counselling techniques or be given an opportunity to study them. Above all the supervisor should so arrange the duties of the appointee that will ensure his having the necessary time in the stockade to develop the skills required. He must not assume that the chaplain is familiar with the Army Regulations, Field Manuals, and Department of Army Pamphlets that cover this highly specialized ministry. Instead, it will be best the assume that the appointee has never seen them, to say nothing of studying them,and he will secure them and see to it that the chaplain is thoroughly

familiar with them BEFORE he sends him into the stockade. Anything less than this is sheer dereliction of duty on the part of the supervisor.

3. DUTIES AND FUNCTIONS AS OUTLINED IN THE REGULATIONS

This is not designed to be an elaboration of the duties and functions of the stockade chaplain. A discussion of these duties will be found in FM 16-5 and DA Pamphlet 16-60. This is an interpretation of the intent of the regulations in relation to the chaplain's role in rehabilitation.

When a man is confined the stockade chaplain is required to arrange an initial interview with him as soon as possible after his arrival. It ought to be within the first twenty-four hours. The chaplain will find a number of practical uses for this interview but AR 633-56 has one particular purpose in view. It is DA policy that the next of kin of confined personnel be notified of his detention. The AR provides that the chaplain will counsel the confinee to advise his family of the circumstances; it further provides that the chaplain may be authorized by the confinee to correspond with the family regarding the matter. However, if the prisoner refuses either to write himself or authorize the chaplain to do so and if he is over twenty-one the chaplain will take no further action other than to record this refusal and make it a part of the prisoner's personnel file. The chaplain should prepare a form that will reflect either action and secure the prisoner's signature on the document.[4]

If the prisoner is under 21 and it appears that the family will not otherwise be informed the chaplain may write such information as he deems necessary. But there is a provision in this paragraph (2b) which is of the utmost importance and the chaplain ignores it to his peril. "...the chaplain will,UNLESS THERE IS SOME COMPELLING REASON TO THE CONTRARY, inform.." the family. There may well be a "compelling reason" why this type of information should not be relayed to the family, as for example, seriousness illness of a parent or wife which would be aggravated and complicated by such news. It may be said that it is far safer to abide by the decision of the prisoner in each case. It will be a rare prisoner who does not want to inform his family anyway. In eighteen months in a stockade assignment only two men refused to write themselves and refused to grant me permission to do so. It might be of interest to note here that in one of these cases the man was involved in domestic difficulties with his wife (subsecuently resolved) and in the other the prisoner's mother was a heart attack patient.

I have said that the stockade chaplain's paramount duty is to represent God. AR 165-15 recognizes this responsibility and states specifically in Para 2(a) that the status of the chaplain is that of a religious and spiritual leader. In Par 3 (b2) it provides that the chaplain will hold religious services "for men in confinement whenever conditions warrant". It is almost always possible to find the warranted conditions. Time and facilities can nearly always be arranged. It should be noted here that this paragraph states, "Chaplains are required by law to conduct appropriate religious services for the commands to which they are assigned".

It is necessary, therefore, that the facility chaplain make arrangements for the adherent of any faith to have the opportunity to express his particular form of worship. I once had to find a copy of the Koran for a Moslem which apparently satisfied his religious needs and certainly fulfilled the intent of the law.

This regulation further recognizes the necessity for providing the ministrations of the sacraments, rites, and ordinances of the various denominations of confined personnel. This could conceivably include the sacrament or rite of marriage. Such a possibility should be included in both the Post and Stockade Standard Operating Procedures. (SOP) If it is not already included in the SOP it may be necessary for the stockade chaplain to bring this ommission to the attention of the Post Chaplain and the proper Staff Sections in the Stockade and add it as an annex. Many difficulties will be avoided if this simple procedure is accomplished before the necessity arises. That it will arise, sooner or later, is a foregone conclusion since a man may become a confinee after he is responsible for a pregnancy.

Counselling is an integral part of any chaplain's duties, but in addition to the general counselling activities of chaplains as outlined in Par 3, AR 165-15 there is a specific provision related directly to the stockade chaplain in Par 21 (c5), AR 210-181. This regulation states "...the chaplain will provide special counselling to prisoners whose personal adjustment has been unsatisfactory and to those undergoing disciplinary segregation". It further provides that he will make a visit TO EACH PRISONER IN DISCIPLINARY OR ADMINISTRATIVE SEGREGATION ON SUNDAY OR OTHER APPROPRIATE RELIGIOUS DAYS. "High priority is assigned to the chaplain's counselling with prisoners...It is a challenge to stimulate his talents for a most beneficial service to God, men, and the army".[5]

counseling with prisoners..... It is a challenge to stimulate his talents for a most beneficial service to God, men, and the Army" [4].

4. THE PRIVILEGED COMMUNICATION

Logically this matter of privileged communication is a part of sub-section 3 above, but it is so important and its implications for the chaplain are of such a nature as to require that it be treated separately. Here is Para 3(a), AR 165-15 in its entirety:

> "Any communications made to a chaplain in his capacity as a clergyman or spiritual confidant, or as a formal act of religion, by a person subject to military law will be recognized as a privileged communication. Unless this privilege is expressly waived by the individual concerned, the chaplain will not be required to disclose information received in this manner to an investigating officer, court martial, court of inquiry, or board of officers, nor in other proceedings wherein the testimony of the chaplain is otherwise competent and admissable."

All personal relationships between a pastor and his parishoner are matters of the strictest confidence. But a civilian pastor in a local community and a chaplain in a parish-type assignment will rarely be required to bear the burden of a confidential piece of information that comes within the purview of a legal privileged communication. The stockade chaplain will soon know the weight of this burden and it will remain with him as long as he remains in that assignment. This is a spiritual as well as a legal responsibility and the chaplain must prepare himself spiritually and emotionally as well as intellectually to discharge this priestly function with honor, integrity, and deep humility. In this area, more than in any other, the stockade chaplain is tempted to play the role of a god and he dare not succumb to this most subtle of all temptations.

It is not my intent to suggest any preparatory discipline that

will enrich the chaplain's spiritual life in his capacity as a clergyman or spiritual confidant. I am, however, suggesting an intellectual approach to the problems inherent in the privileged communication in a stockade environment.

He should study the paragraph in the AR carefully. Note that there are clearly defined modifications, limitations, and restrictions. It is quite possible for the chaplain to gain information in his many contacts with the confinee which is not given to him in his capacity as a clergyman or in a formal act of religion. This information may not have been elicited from the confinee by any other interviewer or officer in the preliminary investigation. It may be of value to the prosecution or to the defense. What is the duty of the chaplain in such a situation ? In each case where these conditions exist the chaplain must be prepared to decide his course of action within the purview of the law and his own ordination vows. The chaplain who has given no thought to this eventuality before the occasion arises is in danger of making the kind of mistakes that involve not only his professional competence but also the lives of the persons in his care.

The law is explicit on the point that a chaplain may be called upon to give testimony that is competent and admissable as evidence in a courts-martial. Many chaplains mistakenly believe that they cannot be required to testify in courts-martial simply because they are chaplains. Nothing could be further from the truth. The chaplain is excused from testifying only if the information is his possession was gained under the conditions imposed by the law of privileged communication.

On the other hand the law expressly provides that he will not

be required to disclose information gained in privilege to an investigating officer or a board of inquiry. Inexperienced chaplains have made serious mistakes at this point simply because they did not know that they could not be forced to talk to a high ranking officer, for example a confinee's commanding officer, or to a board which was not sitting as a court. This is the reason he should be required to read and study the regulations and the pertinent paragraphs in the Unified Code before he becomes a stockade chaplain.

Still another word of caution is relevant to this point. There are certain officers who by reason of their profession would normally be granted the privilege of secrecy. Note well this sentence taken from the Manual for Courts-Martial: " ALTHOUGH THE ETHICS OF THE MEDICAL PROFESSION FORBID MEDICAL OFFICERS AND CIVILIAN PHYSICIANS TO DISCLOSE WITHOUT AUTHORITY INFORMATION ACQUIRED WHEN ACTING IN A PROFESSIONAL CAPACITY, NO PRIVILEGE ATTACHES TO SUCH INFORMATION OR TO STATEMENTS MADE TO THEM BY PATIENTS"[6]. The chaplain will be working in close cooperation with the psychiatrist, and other medical officers, on the rehabilitation team. He must not, under any circumstances, disclose any information of a privileged nature to these men even if he knows that the officer in question has guessed at the nature of the communication. Once it is disclosed even to a professional colleague it is no longer privileged.

A thorough study and complete familiarity with Paragraph 151 of the UCMJ is imperative for the stockade chaplain appointee. An analysis of the pertinent sections of the paragraph follows:

a. Privileged communication defined:

"A privileged communication is a communication made as an incident

of a confidential relation which it is the public policy to protect".

It is thus apparent that persons other than chaplains may be party to such a communication. The privilege may be waived, but only by the person entitled to the benefits of the privilege. In the stockade this will be the confinee, not the chaplain.

b. Other privileged communications.

(1) Between husband and wife. Valid only if made when the two were living together. Not, for example, if made when the couple were legally separated.

(2) Between lawyer and client. This is construed to mean a defense counsel even though he is not a lawyer within the usual meaning of the term. The communication must have been made during the time the relationship of attorney-client existed.

(3) Between accused (confinee) and chaplain. The relationship may be that of penitent and priest as in a Formal Act of Religion (Confession) . It may also be that of confession as a matter of conscience to a Protestant clergyman or Jewish Rabbi. While this latter is not a Formal Act it carries the privilege with it.

c. The person entitled to the privilege.

(1) The spouse who made the communication.
(2) The client gave it to the attorney.
(3) The penitent or accused who confesses to the chaplain.

d. The general rule is a court will not require disclosure of a privileged communication, but there are exceptions to this rule. The chaplain must be familiar with all the exceptions, but one concerns him directly. If a confession, formal or informal, is overheard either by accident or design is may be used as admissable evidence. Therefore it is the chaplain's responsibility to ensure absolute privacy whenever he interviews a prisoner. This is sometimes difficult for space is often at a premium, but if the chaplain will insist, politely but firmly, the space will be provided.

e. A third party, such as an interpreter or stenographer-assistant, may be present. He then occupies the same position as the chaplain.

The chaplain occupies a peculiar position in that he bears both moral and religious responsibilities with regard to those in his pastoral care and also the same responsibilities toward the law and the Army. He is concerned with the best interests of the man and of

the Service. The only valid rule for the chaplain is NEVER TALK. However there is nothing to prevent the chaplain's trying to persuade the confinee to disclose his confession or information to someone else if the chaplain is thoroughly convinced that is in the best interests of all concerned. If the prisoner refuses to do so the chaplain's lips are sealed by his sacred vows and the Law of the Privileged Communication.[8]

NOTES AND REFERENCES CITED IN SECTION III

1. Proceedings of Eighty-Ninth Annual Congress of Correction of the American Correctional Association. A speech by the President of the Association. Page 9

2. DA Pam 16-60, The Chaplain As Counselor, Page 40

3. FM 16-5, The Chaplain, Page 39

4. See Section Section IV, page 26 and sample record form in Annex 3, page 4 (of the Annex)

5. DA Pam 16-60, Page 43

6. Manual For Courts-Martial, United States, 1951, Page 287

7. Ibid, Page 285 and following.

8. The stockade appointee would do well to have a conference with the Confinement Officer and his deputy (who usually conducts the Classification Board) with regard to the whole matter discussed in Sub-Section 4. A thorough understanding of the position of the chaplain by these men is not something to be taken for granted. He will be better able to discharge his duties on the Classification Board if they understand that he may have information which he cannot disclose, but which bears on the decisions ofthe board.

SECTION IV

THE REHABILITATIONAL PROCESS

1. General Organization

The rehabilitational process is not to be confused with the administrative process, both of which may be concurrent procedures in relation to the confinee. We are concerned here with the former, but since it takes place in coordination with the administrative process a brief examination of the general organization of the stockade is in order at this point. The terms classification, initial interview, prerelease interview, and evaluation refer always to the rehabilitation or correctional process.

The typical stockade is organized with branches, sections, and subsections each responsible for a particular function.

a. The Administrative Branch prepares and maintains records.

b. The Custodial Branch is responsible for prisoner control.

c. The Correctional Treatment Branch is responsible for overall supervision of the Rehabilitation Program.

d. The Supply Branch.

e. The Mess Branch.

The chaplain must be familiar with the functions of all the branches and their sections but two of the above are of special interest to him. The Administration Branch is a source of valuable material which will help the chaplain organize his work. The Correctional Branch is the functional section of rehabilitation. It is a therapeutic team and the chaplain must be a member of this team if he is to fulfil his role in the correctional program. This section will show how the chaplain can become an efficient contributing member of the team.

2. The Consultation Staff

An Intake Interview is conducted with each new prisoner within twenty-four to forty-eight hours after his arrival at the confinement facility. The form of the interview is carefully prescribed and follows a fixed pattern.[1] It will cover such information as:

a. Present Offense
b. Military history
b. Family History
c. Marital History
d. Education
e. Motivation
f. Observations and impressions

Other information of value to the chaplain will be recorded here, but this will suffice to illustrate the type of material elicited from the prisoner himself.[2] During this interview the prisoner is counseled concerning his immediate problem and informed that he may contact other agencies and officials for aid. This indicates the importance of the establishment of a cooperative rapport between the members of the consultation staff and the chaplain. The social case worker, if he is oriented to the function of the chaplain as a member of the rehabilitation team, will immediately refer the confinee to the chaplain. The establishment of rapport between the new confinee and the chaplain will be enhanced by this type of referal. The ice is broken for the chaplain's first contact. It is impossible to overstress the importance of this type of team work between the chaplain and the social case-workers.[2a]

3. The CLASSIFICATION AND EVALUATION BOARD

The Classification and Evaluation Board is established by law.[3] Its purpose is to identify, ie., classify, and evaluate prisoners as

to Restoration to duty or Elimination from the service. The board membership consists of, but is not limited to, the following: the Confinement Officer, the chief and one assistant of the consultation staff, ie., the social case workers, a representative from the Post Judge Advocate Office, a representative of the Courts and Boards, and usually the Commanding Officer of the Special Processing Detachment and an enlisted member of his staff; and the Stockade Chaplain. It usually meets once a week.

The meeting is usually in the form of a seminar discussion. Determination will be made at this meeting as to whether a prisoner is restorable or should be processed for and administrative discharge under the provisions of AR 635-208 (Unfitness) or AR 635-209 (Unsuitability), in the event he does not receive a punitive type discharge. The chaplain should remember that this is a recommending body only. It may recommend either restoration or elimination, but it still remains the the prerogative of the Unit Commander to initiate these actions.

In the seminar discussion each prisoner is classified in one of three categories. RESTORABLE (R) are those individuals whose past military record and present motivation indicates that they have the potential for useful and honorable military service. BORDERLINE (B) are those individuals whose past social and military history and present motivation do not clearly indicate the advisability or inadvisability for their retention in the service. Questionnaires which usually arrive after this first consideration of the case are utilized for further evaluation of these persons at a subsequent date. Verbal collaterals, made by various members, including the chaplain, are always noted and used. It is obvious that these are the cases which

present the greatest challenge to all concerned. It is just here that the chaplain can make his best contribution to the rehabilitation program AND TO THE INDIVIDUAL CONFINEE. ADMINISTRATIVELY DISCHARGED (A) are those individuals whose past record and present motivation clearly indicate that they are either unmotivated to perform honorable service, or possess habits, traits of character, or personality disorders which indicate their unsuitability for retention in the service. This group includes those men who are unresponsive to rehabilitative efforts and desire to obtain any type of discharge to effect their separation from the service. Here again the chaplain's role in the rehabilitation program comes into sharp focus. The men in this third category are those who need most the attention of the chaplain. He is primarily concerned not with a system but with the soul of an individual. Whether the man is restorable to the military is of small consequence in the light of the fact that he is always restorable as a potential child of God. When the man has been classified the chaplain's work is just beginning. The chaplain will bring to bear all his knowledge of human nature, all his skills as a pastor, counselor, and friend on this human personality entrusted to his care. He will need the support of his theological training and deepest religious convictions and his experience as a shepherd of souls, in and out of the military, to bring about that "interior conversion" which alone will ensure true rehabilitation. The chaplain has a responsibility to a larger society than the military and while these men may not be restored to honorable service IN the military they may be restored to honorable and responsibile citizenship in the civilian community.

4. THE CLEMENCY BOARD

The provisions for Clemency proceedings are authorized by Army Regulations.[4] The members of the board are appointed on orders by the Post Commander and are drawn from members of the Provost Marshal's Staff, Social Work office, an officer of a line unit, and the chaplain. These members convene at the call of the President of the Board when a sufficient number of prisoners come within the purview of pertinent regulations. Usually the Board reviews the cases of those prisoners with Punitive Type Discharges for the purpose of restoration to duty or remittance of the remaining portion of their sentence and execution of the discharge. This is an integral part of the rehabilitation program.

Restorable prisoners who have successfully completed at least four weeks of the re-training cycle will appear in person before the Board for the purpose of suspension or remittance of sentence and immediate restoration to duty. All records, including a Fact Sheet, a Social Case History, and an informal written report prepared by the chaplain are on hand for the information and guidance of the Board. In addition their will be oral reports by various officials, including the chaplain. The prisoner appears before the Board and presents his own case and reasons why he should be given clemency. He may be questioned by each Board member. It frequently happens that the chaplain and the case worker are the only persons present who know the man personally and intimately. Once again the chaplain has an opportunity to make a significant contribution. By his skilful questioning he may be able to bring out pertinent facts that the Board should consider in their deliberations. It is obvious that in such a situation the chaplain

must have established an effective coordinative and cooperative liason between himself and the Consultation Staff as well as with the Supervisory staff (Confinement Officer's Staff) if he is to be accepted as a skilled and competent member of this Board. It is equally obvious that he must know the man, his potentialities, his weaknesses, his strengths, his motivations, and his desires. The fate of a human personality is literally in his hands and those of his fellow Board members. It is a responsibility that no clergyman dare exercise without careful, thoughtful, and prayerful preparation.

5. RECORDS USEFUL TO THE CHAPLAIN

The work of the two boards described in the fregoing sections represent the the administrative process and the end results of the correctional program. The chaplain is in the process from its inception to its end. It really represents his reason for being assigned to the Stockade. Every other activity in which he participates or directs in the Stockade contributes to this end result. There are certain records prepared by various sections which are open to him. There are others which he will find necessary to develop for himself. Both types will be indispensable in the successful performance of his function.

The first record in order of importance to the chaplain has already been referred to above.[5] The Intake Interview is prepared in multiple copies. Judicious coordination with the chief of the Social Case Work section will enable the chaplain to secure a copy of the Intake for his own files. It will be his basic tool in counseling with the prisoners.

After the initial review of a case by the Classification Board a card is prepared by the Treatment Section and maintained in their file.[6] On it is recorded a brief outline of the case and the progress

of the processing to which the prisoner is subjected during his confinement. It contains much useful information which the chaplain will find indispensable in his day by day contact with his charges and will save him many steps and much valuable time if he will adopt the simple expedient of securing a copy of this card from the Treatment Section or makes his own parallel copy AND KEEPS IT UP TO DATE.

The Administrative Branch of the Stockade prepares and maintains in their files a PRISONER'S PERSONAL HISTORY RECORD (DD Form 498) which is still another source of information of value to the chaplain. It will not be necessary to keep this particular record form in his own file but he should know where it is and how to use it.[7]

There are two other prepared record forms which will be useful to the chaplain. Unlike the the three discussed above these are not permanent records unless the chaplain makes at least one of them a part of his own records system. The first is a REQUEST FOR INTERVIEW (DD Form 510)[8] which the chaplain may wish to include in his own personal records. It is always prepared in duplicate (if it is not the chaplain can easily arrange for it to be) and can be most useful as a record of the number of times he has interviewed a particular prisoner and the dates one which he has seen him. A technique helpful to the chaplain is to make brief notes on the back of the copy he retains as to the content material of the interview. This will become another useful tool denoting the progress (or lack of it) the chaplain is making with a particular prisoner. The progress indicator is possible because he will prepare a separate form each time he sees the man.

The second of the two non-permanent records is the Control Room Visitors Book. In it each prisoner has a separate page and on it is recorded the name of every person who visits or interviews the prisoner. It is not usually required that chaplain assigned to the Stockade sign this sheet, but he will be wise to do so. As long as a particular prisoner remains in custody his visitor's sheet will be maintained. (It is destroyed when he is released.) The appearance of the chaplain's name on this sheet will serve to inform any inspecting official that the chaplain is performing his function regularly and systematically.

There remains one other record which ought to be maintained by the chaplain but which each chaplain will have to develop for himself since there is no prepared form available. AR 633-56 requires that a chaplain advise the prisoner to notify his next of kin that he is in confinement.[9] The chaplain should prepare a form on which the prisoner is required to make a statement of his intentions. Whether he states that he will write or not write to his family he should be required to sign the statement and the wise chaplain will keep ONE copy of this record in his own files.[10] If the chaplain writes to the family he should record the date of the correspondence on this card and keep it until he is relieved of his stockade assignment. In addition it is imperative that he keep a carbon copy of every letter he ever writes to any person concerning each prisoner in his care. A strict observance of this simple technique will avoid unpleasant embarrassment and lend efficiency to his operation.

NOTES AND REFERENCES CITED IN

SECTION IV

1. Par 9g, AR 210-181

2. See Annex 1 for a typical Intake Interview and a discussion of the technique employed with added suggestions related to the chaplain's use of the material.

2a. See Annex 2 Process Flow Chart.

3. Par 11a, AR 210-181

4. AR 633-10 and AR 210-181

5. See note 2 above.

6. Annex 3 Page 1

7. Annex 3 Page 2

8. Annex 3 Page 3

9. Annex 3 Page 4

10. See discussion in Section III, page 13 above.

RESUME

" The Chaplain's Role in the Army Correctional Program"

By Chaplain(MAJ) Alexander Paxon

Student: Roland F. Day C-22

RESUME

National security depends on the soldier's effectiveness in the " New Modern Army". The Army's correctional program seeks to detect and correct non-conforming delinquents affecting the fighting force. Here the Chaplain finds a unique need and professional satisfaction. This monograph shows how the Chaplain can operate effectively within the stockade philosophy. Prior to 1957, the stockade operation was merely a separate punitive housekeeping chore for " eight balls", as opposed to the Army's challenge for those needing rehabilitation. The stockade philosophy is short time confinement for early return to duty. This monograph is limited to the Chaplain's role in the correctional aspect of the local stockade.

The traditional guardhouse program with menial labor under " shot gun" has been replaced by a deeper concern for the future potential of the prisoner. The new program provides early detection, resulting in elimination or rehabilitation and return to duty. It is less expensive, more constructive, and resulted in a 61% decrease in the number of prisoners and the closing of 19 stockades. The new system uses vocational training shops and schools to professionally evaluate and personally rehabilitate each prisoner. Here the stockade Chaplain can make a vital contribution to the prisoner, the Army, and society, by assisting in " The Redemption of the Man".

AR 210-181 authorizes a stockade Chaplain upon written order. He is a specialist in Human Behavior, Counseling, and Pastoral functions. The Supervisory Chaplain should assign a mature Chaplain with counseling experience. His duties are outlined in DA Pam 16-20. The Chaplain should give particular attention to AR 210-181 par 21 (C5) and AR 165-15 par 3(A). The rehabilitation process involves the Intake Interview, Classification of Prisoner, Clemency Board, Form 510 "Request for Interview", and the Visitor's Book. The Chaplain must know and operate within the administrative structure of rehabilitation, but his major concern is with the soul of the soldier.